

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM****SUBJECT:** ETOR PUD (Planned Unit Development) Major Amendment**DEPARTMENT:** Planning and Development **DIVISION:** Planning**AUTHORIZED BY:** Dori DeBord**CONTACT:** Austin Watkins**EXT:** 7440**MOTION/RECOMMENDATION:**

1. Approve the requested PUD Major Amendment to the ETOR PUD and Addendum #4 to the ETOR PUD Developer's Commitment Agreement, containing 2.75 ± acres, located at the northwest corner of the intersection of S. Sun Drive and Greenwood Lakes Boulevard, and authorize the Chairman to execute the aforementioned documents, based on staff findings (Robert Horian, applicant); or
2. Deny the requested PUD Major Amendment to the ETOR PUD, containing 2.75 ± acres, located at the northwest corner of the intersection of S. Sun Drive and Greenwood Lakes Boulevard, and authorize the Chairman to execute the Denial Development Order (Robert Horian, applicant); or
3. Continue this item until a time and date certain.

District 4 Carlton D. Henley

Austin Watkins

BACKGROUND:

The ETOR PUD (Planned Unit Development) was originally approved in 1994 as a multi-use Office, Retail and Multi-Family development. In 1994 Tract "C" was approved for 12.41 acres of Office. At this time, the applicant, Robert Horian, is requesting to amend the approved uses of Tract "C" from Office to Office/Retail and increase the allowable retail uses within the neighborhood commercial Tract C-1.

The ETOR PUD was recently amended in March 2008 to allow for a 70-unit 5-story condominium building on Tract C2, which is located on the north side of Sun Drive, adjacent to the subject property. Further, the 2008 amendment also allowed for a 108-unit 4-story condominium complex on the south side of Sun Drive. Tract "C" is approved for 1.22 acres of Office (OP) uses. There is currently an existing two-story office building on Tract "C". The applicant is proposing to modify the permitted uses of Tract "C" from OP uses to: OP uses plus the first floor (ground level) of Tract C may be used for C-1 zoning classification uses per the Seminole County Land Development Code with the following prohibited uses:

Funeral Homes, Hardware Stores, Launderettes and Laundromats, Pet Stores, Plant Nurseries, Theaters, Multi-Family Housing, Communication Towers, Outside Storage of Material.

Additionally, the applicant is requesting to modify the permitted uses of Tract C-1 from Neighborhood Commercial (CN zoning classification) to C-1 zoning classification uses per the

Seminole County Land Development Code with the following prohibited uses:

Funeral Homes, Hardware Stores, Launderettes and Laundromats, Pet Stores, Plant Nurseries, Theaters, Multi-Family Housing, Communication Towers, Outside Storage of Material.

STAFF RECOMMENDATION:

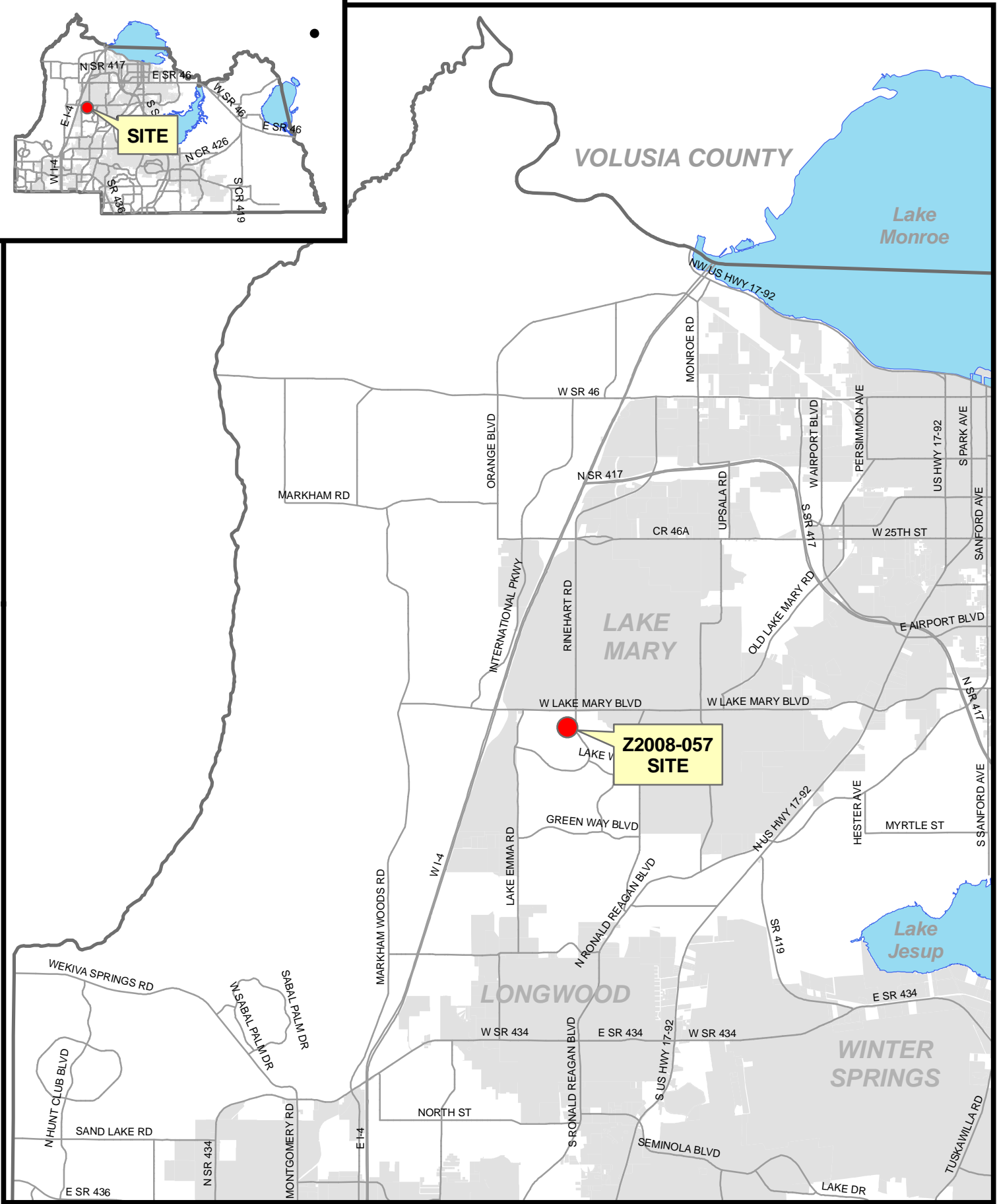
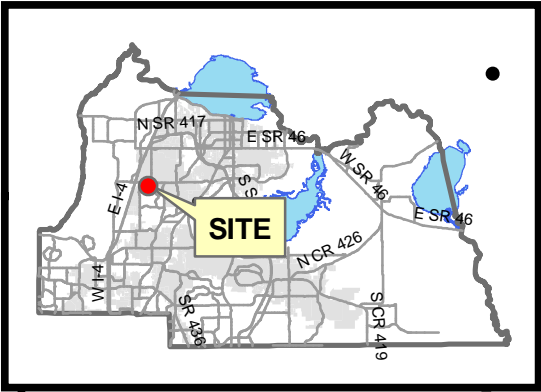
Staff recommends that the Board approve the requested PUD Major Amendment to the ETOR PUD and Addendum #4 to the ETOR PUD Developer's Commitment Agreement, containing 2.75 + acres, located at the northwest corner of the intersection of S. Sun Drive and Greenwood Lakes Boulevard.

ATTACHMENTS:

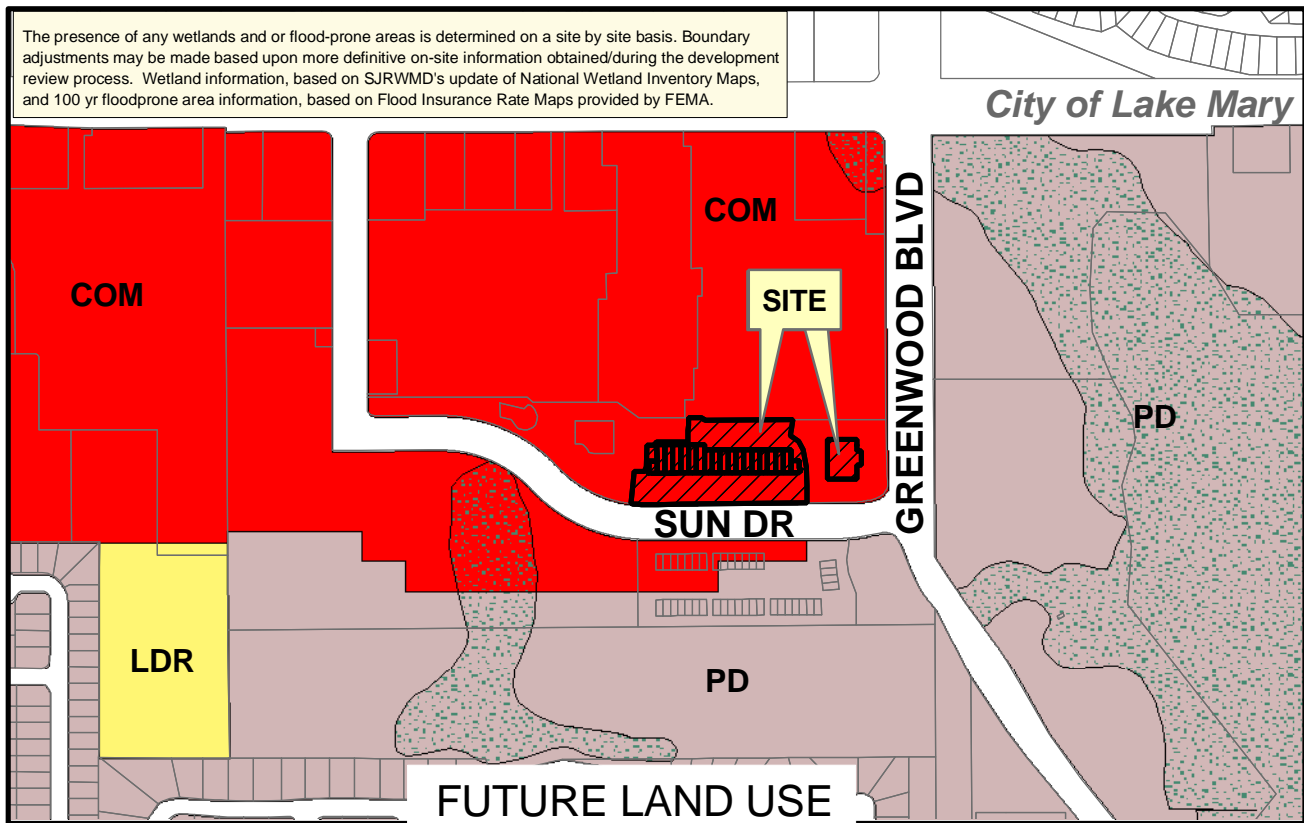
1. Location Map
2. Zoning and Future Land Use Map
3. Aerial Map
4. ETOR PUD Developer's Commitment Agreement Addendum #4
5. ETOR PUD Final Master Plan
6. ETOR PUD Developer's Commitment Agreement
7. Denial Development Order (applicable only if denied)
8. Ownership Disclosure Form
9. Planning and Zoning Commission Minutes

Additionally Reviewed By:

☒ County Attorney Review (Kathleen Furey-Tran)



The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



LDR
 COM
 PD
 Site
 CONS
 Municipality

Applicant: Robert Horian

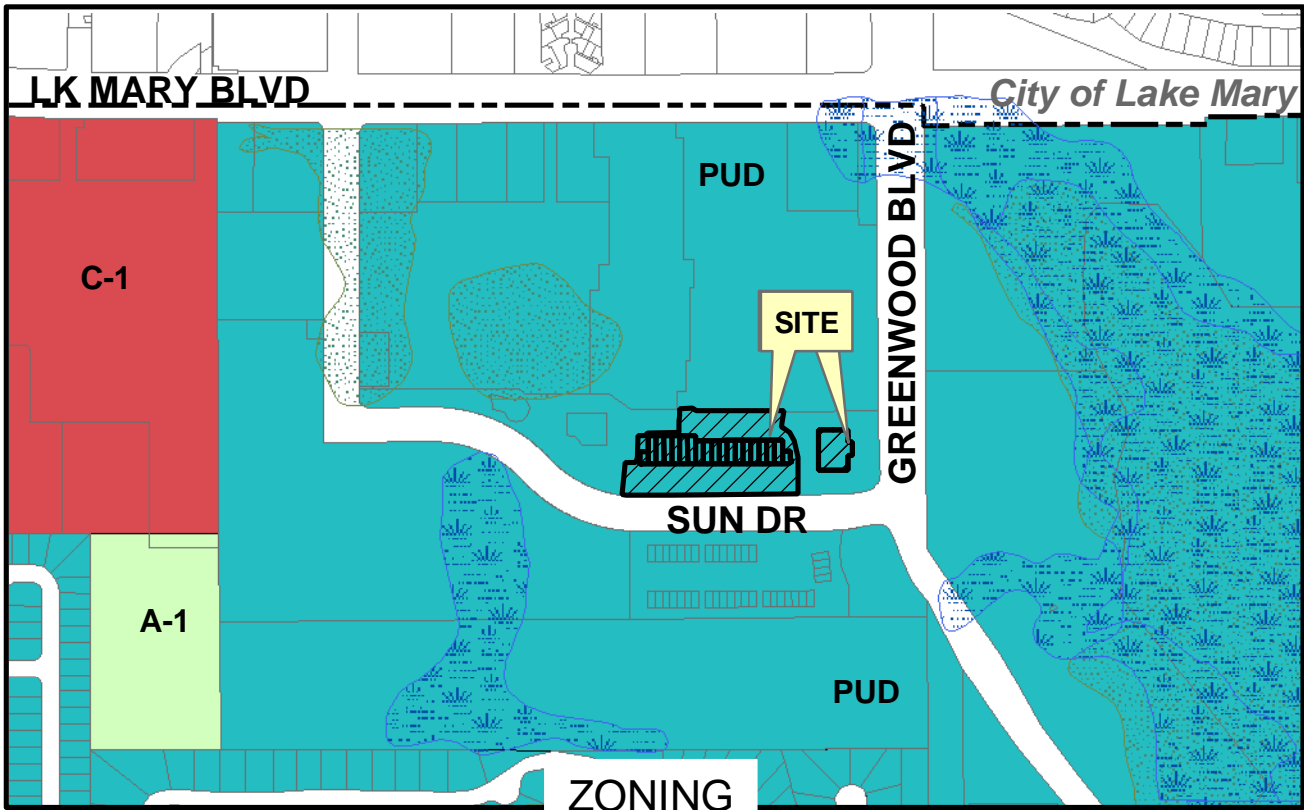
Physical STR: 18-20-30

Gross Acres: 16.29 +/- BCC District: 4

Existing Use: office

Special Notes: _____

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2008-057	PUD	PUD



A-1
 C-1
 PUD
 FP-1
 W-1



Rezone No: Z2008-057

From: PUD To: PUD



Parcel



Subject Property



Winter 2006 Color Aerials

ETOR PROPERTIES
Planned Unit Development
Commitments, Classifications and District Description

ADDENDUM #4

On March 24, 2009, the Board of County Commissioners of Seminole County issued this Addendum to the “ETOR Planned Unit Development Commitments, Classifications and District Description” (the “PUD”) amending such PUD. Any aspects of that PUD not specifically amended herein or by Addendum #1, Addendum #2, or Addendum #3 shall remain in effect as set forth in that PUD.

(for your references, underlines are additions, strikethroughs are deletions)

IV. SPECIFIC USES

Commercial (Tract A & D): Will comply with Seminole County C-2 zoning excluding the following permitted uses: outdoor advertising signs. And excluding the following conditional uses: drive-in theatres, flea markets-open air, paint and body shops, and adult entertainment establishment.

Residential (Tract E):
Will comply with Seminole County R-4 zoning plus an additional use permitted will be day care facilities.

~~Residential (Tract C):~~ ~~Shall be limited to individually owned townhouses on fee simple lots, together with recreational and open space amenities consistent with Seminole County usable common open space requirements. The Developer shall establish a mandatory homeowners association for the townhouse development in Tract C.~~

Residential (Tracts “C2” – North and “C4” – South):
Shall comply with the Seminole County R-4 zoning classification (permitted uses only).

Neighborhood Commercial (Tract ~~C~~ C-1):
~~Shall be limited to uses listed as permitted in the CN zoning classification per the Seminole County Land Development Code.~~
Shall be limited to uses listed as permitted in the C-1 zoning classification per the Seminole County Land Development Code.
The following uses shall also be prohibited:

- Funeral Homes
- Hardware Stores
- Launderettes and Laundromats
- Pet Stores
- Plant Nurseries
- Theaters
- Multi-Family Housing
- Communication Towers
- Outside Storage of Material/Parts

Office (Tract B & C-3)

Will comply with Seminole County OP zoning.

Office (Tract C):

Will comply with Seminole County OP zoning. In addition to the OP uses, the first floor (ground level) of Tract C may be used for C-1 zoning classification uses per the Seminole County Land Development Code expect the following shall be prohibited uses:

- Funeral Homes
- Hardware Stores
- Launderettes and Laundromats
- Pet Stores
- Plant Nurseries
- Theaters
- Multi-Family Housing
- Communication Towers
- Outside Storage of Material/Parts

All other floors, except the first floor (ground level) of Tract C shall comply with Seminole County OP zoning.

VI. BUILDING RESTRICTIONS

Residential
(Tract E)

Building Height: 35 feet maximum
Number of Stories: one, two and three
Limited to two story first tier adjacent to Tract "F".

Residential
(Tract "C2" – North)

Building Height: 55'6 maximum
Number of Stories: 5-story maximum
No accessory structures shall be permitted.

Residential
(Tract “C4” – South)

Building Height:	45 feet maximum
Number of Stories:	4-story maximum
Accessory Building Height:	35 feet maximum
Accessory Number of Stories:	1 story maximum

Neighborhood Commercial
(Tract ~~C~~ C-1)

Building Height:	35 feet maximum
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BUILDING SETBACKS

Lake Mary Blvd.:
Sun Drive:

Commercial:	50 feet
Office:	25 - feet
Residential: (<u>Tract E</u>)	25 feet – Single Story
	35 feet – Two Story
	45 feet – Three Story

Greenwood Blvd.:

Commercial:	25 feet
Residential:	25 feet – Single Story
	35 feet – Two Story
	45 feet – Three Story

Commercial use:

Front:	25 feet
Side:	0 feet
Rear:	10 feet

Office Use:

Front:	25 feet
Side:	0 feet
Rear:	10 feet

Neighborhood Commercial (Tract ~~C~~ C-1):

Front:	25 feet
Side:	0 feet
Rear:	10 feet

Residential (Tract “C2” – North):

Front (7-Story Maximum)	25 feet
Side (Adjacent to Retail or Office)	10 feet
Rear (Adjacent to Retail or Office)	10 feet

Residential (Tract “C4” – South):

Front (1-Story Maximum)	25 feet
Front (4-Story Maximum)	25 feet
Side (Adjacent to Retail or Office)	15 feet

Side (adjacent to Multi-Family Residential) 25 feet
Rear 20 feet
Minimum distance between buildings: 50 feet

BUFFERS

Lake Mary Blvd.: 15 ft.

Greenwood Blvd.: 5 ft. and 15 ft.
(Lake Mary Blvd
Gateway Corridor)

South Property Line: 100 foot Natural Buffer

Office Use: 10 ft. abutting
residential

A 6 foot high masonry block wall will be installed on the north side of the 100 foot natural buffer as shown on the Final Master Plan. Except as precluded by environmentally sensitive areas.

Done and Ordered this 24th day of March, 2009.

By: _____
Bob Dallari, Chairman Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Regal Pointe Park North Condominium Association, Inc., on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

Ron Semans, President

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ron Semans who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Exhibit "A"
Legal Description

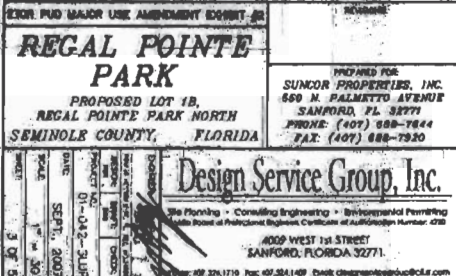
DESCRIPTION: LOT 1A

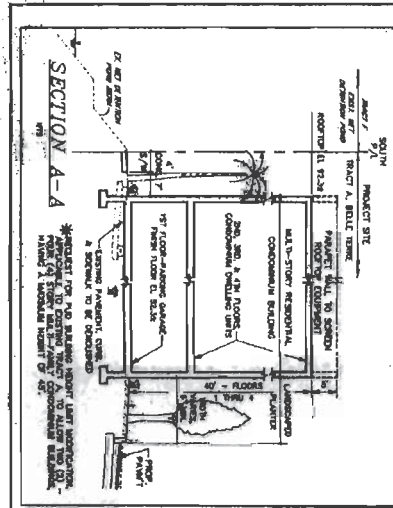
FROM THE MOST NORTHWESTERLY CORNER OF LOT 3, GREENWOOD AT LAKE MARY PHASE 2, AS RECORDED IN PLAT BOOK 54, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN ALONG THE BOUNDARY OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES: N89°48'27"E A DISTANCE OF 489.96 FEET; THENCE S53°57'05"E A DISTANCE OF 20.30 FEET; THENCE N89°48'27"E A DISTANCE OF 255.50 FEET; THENCE S53°57'05"E A DISTANCE OF 81.19 FEET; THENCE N89°48'27"E A DISTANCE OF 145.32 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LOT 3 RUN S00°11'33"E A DISTANCE OF 30.00 FEET; THENCE S04°50'50"W A DISTANCE OF 24.09 FEET; THENCE S00°11'33"E A DISTANCE OF 26.27 FEET; THENCE S89°48'27"W A DISTANCE OF 96.22 FEET; THENCE S40°47'39"W A DISTANCE OF 11.56 FEET; THENCE S89°48'27"W A DISTANCE OF 19.60 FEET; THENCE S02°40'25"W A DISTANCE OF 68.03 FEET; THENCE S25°24'33"W A DISTANCE OF 14.14 FEET; THENCE S89°48'27"W ON A NON-RADIAL BEARING A DISTANCE OF 32.05 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWEST AND HAVING A RADIUS OF 250.00 FEET; THENCE FROM A CHORD BEARING OF S03°39'51"W RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°32'03" A DISTANCE OF 24.15 FEET TO THE P.T. OF SAID CURVE; RUN THENCE S06°25'52"W A DISTANCE OF 65.48 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID LOT 3; SAID POINT OF INTERSECTION BEING ON THE ARC OF A CURVE CONCAVE NORTHEAST AND HAVING A RADIUS OF 372.50 FEET; THENCE FROM A CHORD BEARING OF S86°01'23"E RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 3; THROUGH A CENTRAL ANGLE OF 08°20'20" A DISTANCE OF 54.21 FEET TO THE P.T. OF SAID CURVE; RUN THENCE N89°48'27"E A DISTANCE OF 498.39 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID LOT 3 RUN N00°11'36"W A DISTANCE OF 38.00 FEET; THENCE N08°46'55"E A DISTANCE OF 37.06 FEET; THENCE N00°33'32"W A DISTANCE OF 70.39 FEET TO THE P.C. OF A CURVE CONCAVE SOUTHWEST AND HAVING A RADIUS OF 62.00 FEET; RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°16'46" A DISTANCE OF 85.79 FEET; THENCE FROM A CHORD BEARING OF S40°11'55"E RUN N10°09'42"E ON A RADIAL BEARING A DISTANCE OF 43.72 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID LOT 3; RUN THENCE ALONG THE NORTHERLY LINE OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES; S89°48'30"W A DISTANCE OF 270.43 FEET; THENCE N56°21'48"W A DISTANCE OF 27.24 FEET; THENCE S89°48'27"W A DISTANCE OF 44.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.75 ACRES

AND BLDG 7 REGAL POINT PARK NORTH A CONDOMINIUM PB 70 PBS 23

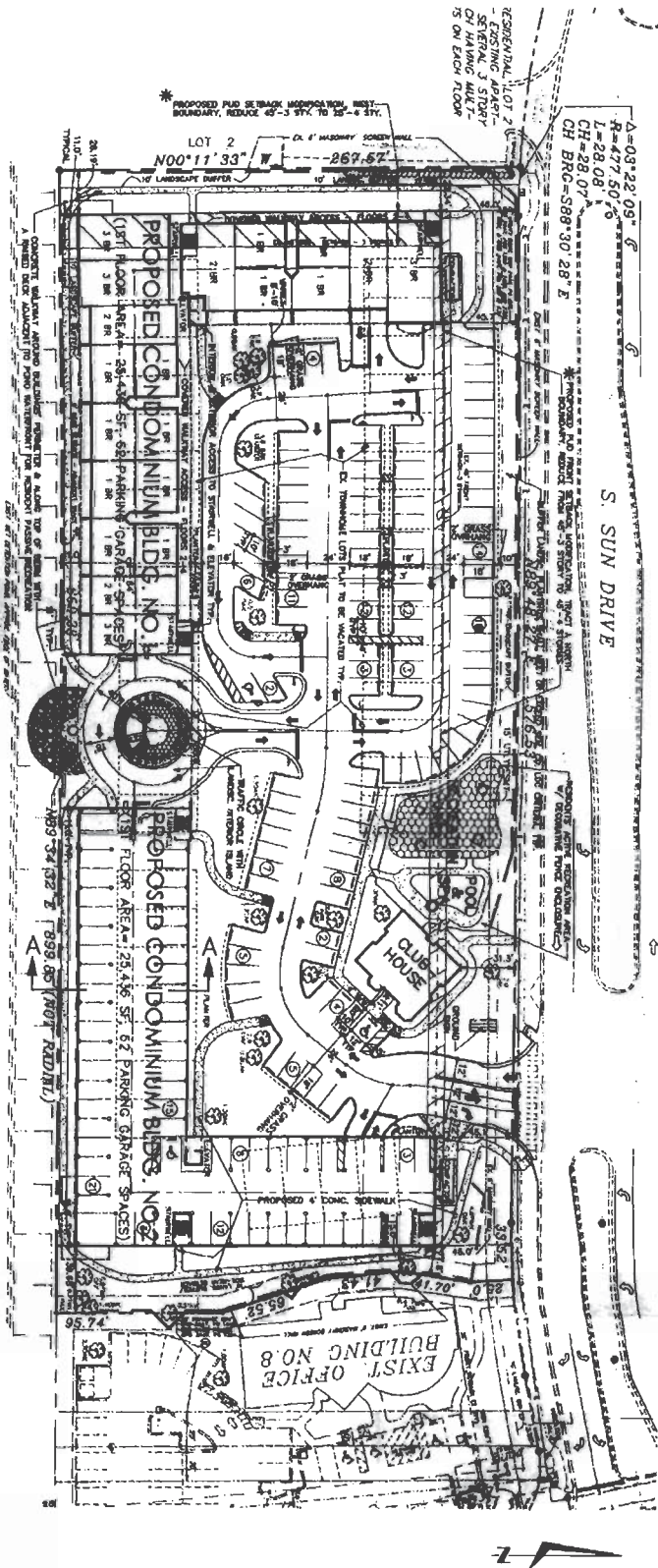
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NOTES:

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LEGEND

1. PROPOSED CONDOMINIUM BLDG. NO. 1
2. PROPOSED CONDOMINIUM BLDG. NO. 2
3. EXIST. OFFICE BUILDING NO. 8
4. CLUB HOUSE
5. PARKING
6. LOT 2
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100. LOT 95

Design Service Group, Inc.

Planning • Consulting Engineering • Environmental Planning

4009 WEST 1st STREET
SANFORD, FLORIDA 32771

TEL: (407) 304-1210 FAX: (407) 304-1409 Email: design@designservicegroup.com

ETOR PUD MAJOR AMENDMENT EXHIBIT NO. 3

REGAL POINTE PARK

TRACT A, RIVIERA, PB 70, PGS 87-90
SEMINOLE COUNTY, FLORIDA

PREPARED FOR:

SUNKOR PROPERTIES, INC.
550 N. PALMETTO AVENUE
SANFORD, FL 32771
PHONE: (407) 688-7644
FAX: (407) 688-7820

DATE: SEP 11, 2007

SCALE: 1" = 30'

REVISIONS:

1. 10/15/07 REVISED PER CLIENT & SEMINOLE COUNTY BOARD APPROVAL

2. 10/15/07 REVISED PER SEMINOLE COUNTY BOARD APPROVAL

3. 11/15/07 REVISED PER SEMINOLE COUNTY BOARD APPROVAL

PROJECT NO: 01-042-30LP

DRAWN BY: [Signature]

CHECKED BY: [Signature]

I. LEGAL DESCRIPTION

From the East 1/4 Corner of Section 18, Township 20 South, Range 30 East, Seminole County, Florida, run North 00°34'14" West, along the East line of the Northeast 1/4 of said Section 18, a distance of 663.57 feet to the South line of the North 3/4 of the Northeast 1/4 of said Section 18, for a POINT OF BEGINNING, thence continue North 00°34'14" West, 382.24 feet to a point on a curve thence run Northwesterly along said curve concave Northeasterly having a radius of 1540.00 feet, a central angle of 06°39'34", a chord bearing of North 25°11'40" West, for an arc distance of 178.99 feet, thence run North 21°51'53" West, 11.46 feet, thence run Northwesterly along a curve concave Easterly having a radius of 1044.32 feet, a central angle of 21°17'40", a chord bearing of North 11°13'03" West, for an arc distance of 388.13 feet run North 00°34'13" West, 967.25 feet, thence run Northwesterly along a curve concave Southwesterly having a radius of 50.00 feet, a central angle of 89°37'27", a chord bearing of North 45°22'57" West, for an arc distance of 78.21 feet to a point on the South Right-of-Way line of Lake Mary Blvd., said South Right-of-Way being 40.00 feet South and parallel with the North line of the Northeast 1/4 of said Section 18, thence run South 89°48'19" West, along said Right-of-Way line 1949.36 feet to the East line of the West 389.498 feet of said Northeast 1/4 of Section 18, thence run South 00°21'16" East, along said East line 1959.52 feet to the South line of the North 3/4 of said Northeast 1/4, same being the North line of GREENWOOD LAKES UNIT 2, according to the Plat thereof as recorded in Plat Book 22, Pages 2 and 3, of the Public Records of Seminole County, Florida, thence run South 89°34'16" West, along said South line of the North 3/4 a distance of 770.81 feet to the Northeast corner of Lot 17, GREENWOOD LAKES UNIT 2 FIRST ADDITION, according to the Plat thereof as recorded in Plat Book 23, Page 52, said Public Records of Seminole County, Florida, thence run South 18°30'27" West, along the Easterly line of said Lot 17, a distance of 102.83 feet (Plat distance of 103.69 feet) to the North line of MORNING GLORY DRIVE as shown on said Plat of GREENWOOD LAKES UNIT 2 FIRST ADDITION, thence run Northeasterly along MORNING GLORY DRIVE and a curve concave Northwesterly having a radius of 166.82 feet, a central angle of 11°18'48", a chord bearing of North 51°16'56" East, for an arc distance of 32.94 feet to a point of reverse curve, thence run along a curve concave Southeasterly having a radius of 275.00 feet, a central angle of 44°00'00", a chord bearing of North 67°34'16" East, for an arc distance of 211.18 feet to the Northeast corner of said Plat of GREENWOOD LAKES UNIT 2 FIRST ADDITION, said Northeast corner being on the South line of the North 3/4 of said Northeast 1/4, thence run North 89°34'16" West, 1136.58 feet to the Point of Beginning. Containing 90.20 acres. Less the additional right-of-way for Lake Mary Boulevard.

II. STATEMENT OF BASIC FACTS

Commercial Area	31.99 Acres
Office Area	15.00 Acres
Residential Area	17.08 Acres
Retention, Recreation & Open Space	19.81 Acres
Right-of-Way	6.32 Acres
Total Area	90.20 Acres
Residential Density	17.6 D.U.A.

III. TRACT SUMMARY

<u>TRACT DESIGNATION</u>	<u>LAND USE</u>	<u>AREA</u>	<u>% OF SITE</u>
A	Commercial	2.08 Acres	2%
B	Office	2.59 Acres	6%
C	Office	12.41 Acres	11%
D	Commercial	29.91 Acres	33%
E	Residential-300 Units	17.08 Acres	19%
F	Recreation/Open Space Retention	19.81 Acres	22%
R.O.W.	Public Street	<u>6.32 Acres</u>	<u>7%</u>
	TOTAL	90.20 Acres	100%

IV. SPECIFIC USES

Residential: Uses consist of residential dwelling units plus the following additional uses: day care facilities, churches and adult congregate living facilities and group homes.

Office: Will comply with Seminole County OP zoning.

Commercial: Will comply with Seminole County C-2 zoning excluding the following permitted uses: outdoor advertising signs. And excluding the following conditional uses: drive-in theatres, flea markets-open air, paint and body shops, and adult entertainment establishment.

V. OPEN SPACE

Tract "F" Recreation/Retention/Open Space	19.81 Acres
---	-------------

Use of area is limited to the residents of Etor Properties and their guests.

20% of Tract "E" (17.08 Acres)

3.42 Acres

Use of area is limited to the residents of Tract "E".

TOTAL OPEN SPACE

23.23 Acres

VI. BUILDING RESTRICTIONS

Residential: Building Height: 35 Feet Maximum
Number of Stories: One, Two and Three
Limited to two story first tier adjacent to Tract "F".

BUILDING SETBACKS

Lake Mary Blvd.:		50 Feet
Sun Drive:	Commercial:	25 Feet
	Office:	25 Feet
	Residential:	25 Feet - Single Story
		35 Feet - Two Story
		45 Feet - Three Story
Greenwood Blvd.:	Commercial:	25 Feet
	Residential:	25 Feet - Single Story
		35 Feet - Two Story
		45 Feet - Three Story
Commercial Use:	Front:	25 Feet
	Side:	0 Feet
	Rear:	10 Feet
Office Use:	Front:	25 Feet
	Side:	0 Feet
	Rear:	10 Feet
Residential:	Front:	25, 35 and 45 Feet
	Side:	25, 35 and 45 Feet
	Rear:	0 Feet Adjacent to Tract "F"

BUFFERS

Lake Mary Blvd.:	15 Ft.
Greenwood Blvd.:	5 Ft. and 15 Ft. (Lake Mary Blvd. Gateway Corridor)
South Property Line:	100 Ft. Natural Buffer
Office Use:	10 Ft. Abutting Residential

A 6 foot high masonry block wall will be installed on the north side of the 100 foot natural buffer as shown on the Final Master Plan. Except as precluded by environmentally sensitive areas.

VII. VEHICULAR AND PEDESTRIAN TRAFFIC

- a. The Developer shall dedicate a 105 ft. right-of-way for the extension of Sun Drive from Lake Mary Boulevard to Greenwood Boulevard.
- b. The Developer shall dedicate an additional 52 ft. of right-of-way for Lake Mary Boulevard for a total 1/2 right-of-way width of 92 feet.
- c. The Developer shall dedicate a cross access easement through Tract D from Sun Drive eastward to Greenwood Boulevard.
- d.
 1. At the intersection of Lake Mary Boulevard and Greenwood Boulevard, construct a second northbound and southbound through lane on Greenwood Boulevard, a second westbound left turn lane on Lake Mary Boulevard and a continuous right turn lane on Lake Mary Boulevard from the northwest property corner to Greenwood Boulevard.
 2. At the intersection of Lake Mary Boulevard and Sun Drive, install an eight-phase traffic signal.
 3. At the intersection of Greenwood Boulevard and Sun Drive, install an eight-phase traffic signal.
 4. All roadway improvement commitments above will be completed prior to first C.O.
- e. Five foot wide pedestrian sidewalks will be provided along Sun Drive through the development as per the typical section shown on the Final Master Plan.

VIII. RECREATION

Recreational facilities, both active and passive, are to be included within the development. All recreational facilities within the residential development (Tract "E"), will be installed by the developer of said tract. Specific recreational facilities to be installed are swimming pool, tennis court, and jogging trail. These facilities will be completed prior to issuance of a C.O. for the 150th dwelling unit in the residential section.

IX. PUBLIC FACILITIES

1. Potable Water:

- a. There is an existing 12-inch water main along the west side of Greenwood Blvd. and a stubbed 12-inch water main along the south side of Lake Mary Blvd. at the northwest corner of the project and the northeast corner of the project. A proposed 12-inch water main will be constructed along the westerly and southerly side of Sun Drive from Lake Mary Blvd. to Greenwood Blvd. Water distribution by Seminole County. The commercial tracts, office tracts and residential tract shall be master metered for water service. Master meters will be provided for each final platted lot or tract.

2. Wastewater Collection:

- a. There is an existing 12-inch gravity sanitary sewer main along Greenwood Blvd. within the Florida Power Corporation easement. The tie-in point for the project will be at the southeast corner of the site. Wastewater treatment by Seminole County.

3. Stormwater Management:

- a. The stormwater collection and retention system will be designed in accordance with all Seminole County and St. Johns River Water Management District criteria. A 25 year/24 hour storm event will be the basis of design for storm routing and retention. The proposed drainage facilities, easements, and retention pond for the Lake Mary Blvd. improvements located within the project will be relocated as per the Joint Use Agreement between Etor Properties Ltd. and Seminole County dated March 7, 1991. Maintenance for the stormwater retention facilities will be funded by an owners association with Seminole County participating to the extent of their regular quarterly maintenance.

4. Re-Use Water System:

- a. This project will be required to connect to the County's re-use water system for irrigation when available at the project site.

X. OTHER COMMITMENTS

- A. A voluntary payment of \$350.00 per dwelling unit at the time of "Certificate of Occupancy", to the public school impact fund.

- B. The southerly 100 feet of the property will be maintained as a natural buffer (including the triangular shape extending into the Brandermill Subdivision).
- C. The adjacent 300 feet lying north of the 100 foot wide buffer will be reserved for recreation, open space, and stormwater retention and will be limited to the Etor property residents and their guests.
- D. A six-foot high masonry wall to be constructed east and west along the northerly boundary of the 100 foot buffer and south along the westerly line of the power line easement to the south property line. No wall or other type of fencing to be done in wetland areas.
- E. The first row of all buildings constructed adjacent to Tract "F" shall not exceed two (2) stories. The remainder may be three (3) stories but no structures may exceed 35 feet in height.
- F. All access to the Etor property will be from Lake Mary Boulevard or Greenwood Boulevard.
- G. This entire project shall comply with the lighting, landscaping, and signage standards contained in the Lake Mary Boulevard Gateway Corridor Ordinance. Lake Mary Boulevard Gateway Corridor Ordinance setbacks apply only to Lake Mary Boulevard.
- H. Trash receptacles must be contained in enclosed areas, either wood or masonry.
- I. The buffer area (including the triangular shaped area) shall be conveyed to the Brandermill and Reserve Homeowners Association. The conveyance should take place upon completion of construction of the fences and walls referred to in paragraph D.
- J. Tract "F" will count toward density calculations, open space, landscaping, and setbacks for the development of the remainder of the property.
- K. If any land use changes are contemplated from the current zoning classification within the next two years, the Brandermill and Reserve Homeowners Associations shall be notified in writing at least two (2) weeks prior to any public hearings.
- L. Any commitments with the Brandermill and Reserve Homeowners Association letter dated September 11, 1990, not outlined in the above paragraphs, shall be complied with.

XI. CODES AND ORDINANCES

Unless specifically addressed in this agreement, all development shall fully comply with all codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of issuance of any permit.

XII. DEVELOPER DEFINITION

1. When the term "Developer" is used herein, the same shall apply to the specific developer as noted below in the signature block of this agreement. All obligations, liabilities, and responsibilities shall be assumed by any and all successors.

For Etor Properties, Ltd.:

Witness: _____

[Signature]

[Signature]

Witness: _____

For Seminole County:

Witness: _____

[Signature]

[Signature]
Chairman of Seminole County
Board of County Commissioners

Witness: _____

[Signature]

ETOR PROPERTIES

Planned Unit Development

ADDENDUM #1

ADDENDUM APPROVED ON JUNE 11, 2002

The Etor Properties Planned Unit Development Commitment Agreement dated July 30, 1991, and amended on December 11, 2001, is hereby amended as follows:

II. STATEMENT OF BASIC FACTS

Commercial Area	31.99 acres
Office Area	12.41 acres
Residential Area	17.08 acres
Mixed Office and Commercial Area	2.59 acres
Retention, Recreation & Open Space	19.81 acres
Right-of-Way	6.32 acres
Total Area	90.20 acres
Residential Density	17.6 D.U.A.

III. TRACT SUMMARY

<u>TRACT DESIGNATION</u>	<u>LAND USE</u>	<u>AREA</u>	<u>% OF SITE</u>
A	Commercial	2.08 acres	2%
B	Office, Commercial*	2.59 acres	6%
C	Office	12.41 acres	11%
D	Commercial	29.91 acres	33%
E	Residential-300 units	17.08 acres	19%
F	Recreation, Open Space, Retention	19.81 acres	22%
R.O.W.	Public Street	<u>6.32 acres</u>	<u>7%</u>
	TOTAL	90.2 acres	100%

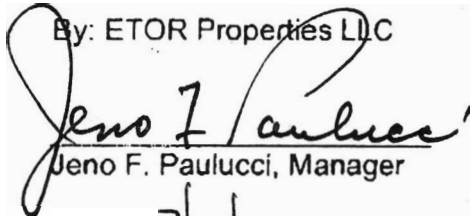
*The Owner shall provide a six-foot high fence along the south property line which shall be constructed of split-face block. The Owner shall also provide a row of canopy trees along the south property line.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 04488 PG 0928
FILE NUM 2002923045
RECORDED 08/12/2002 09:18:37 AM
RECORDING FEES 15.00
RECORDED BY S Coatney

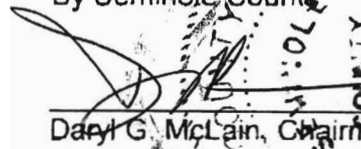
CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY: Eva Roach
DEPUTY CLERK

Approved and Accepted:

By: ETOR Properties LLC

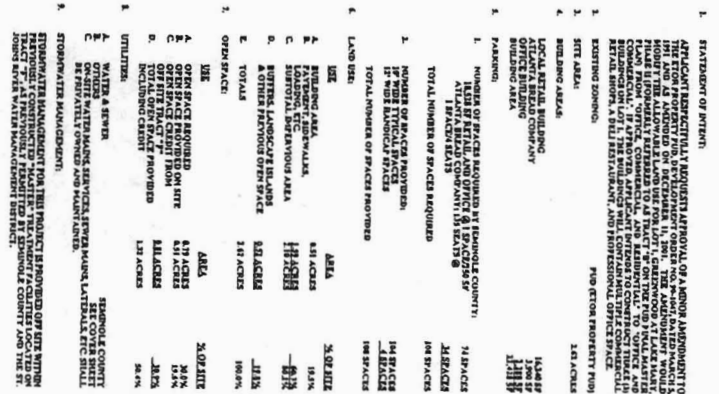
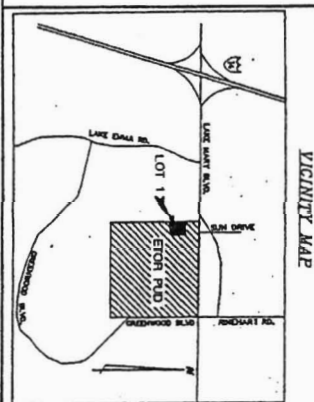

Jeno F. Paulucci, Manager
Date: 7/22/02

By Seminole County


Daryl G. McLain, Chairman

Date: Aug 8, 2002





08/14/01	DUNLAP BLDG. & REV. PARKING PER CLIENT
10/26/01	REWEAVE FOR WINNER PULP AMBROUGHT EDWART
12/17/01	REV. OFFICE/RECORING & PARKING PER CLIENT
03/08/02	REV. BLDG. & PARKING PER CLIENT
04/09/02	REV. BLDG. & PARKING PER CLIENT
05/12/02	REV. BLDG., LOADING, & PARKING PER TGA CO.

ETOR PROPERTIES

Planned Unit Development

Commitments, Classifications and District Description

ADDENDUM #2

On June 8, 2004, the Board of County Commissioners of Seminole County issued this Addendum to the "ETOR Planned Unit Development Commitments, Classifications and District Description" (the "PUD") amending such PUD. Any aspects of that PUD not specifically amended herein or by Addendum #1 shall remain in effect as set forth in that PUD.

II. STATEMENT OF BASIC FACTS

Commercial Area	34.99 acres
Office Area	5.47 acres
Residential Area	21.02 acres
Mixed Office and Commercial Area	2.59 acres
Retention, Recreation & Open Space	19.81 acres
Right-of-Way	6.32 acres
Total Area	90.20 acres
Residential Density (Tract C)	9.9 D.U.A. (gross density)
	12.4 D.U.A. (net density)
Residential Density (Tract E)	17.6 D.U.A.

III. TRACT SUMMARY

TRACT DESIGNATION	LAND USE	AREA	% OF SITE
A	Commercial	2.08 acres	2%
B	Office, Commercial*	2.59 acres	3 %
C	Office	5.47 acres	6 %
C	Neighborhood Commercial	3.00 acres	3 %
C	Residential – 39 units	3.94 acres	4%
D	Commercial	29.91 acres	33%
E	Residential – 300 units	17.08 acres	19%
F	Recreation, Open Space, Retention	19.81 acres	22%
R.O.W.	Public Streets	6.32 acres	7%
	TOTAL	90.20 acres	100%

* The Owner shall provide a six-foot high fence along the south property line which shall be constructed of split-face block. The Owner shall also provide a row of canopy trees along the south property line.

IV. SPECIFIC USES

Residential (Tract E): Will comply with Seminole County R-4 zoning plus an additional use permitted will be day care facilities.

CERTIFIED COPY

MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY *Ever Rouse*
DEPUTY CLERK

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05387 PGS 0435-0438
CLERK'S # 2004112036
RECORDED 07/16/2004 10:17:07 AM
RECORDING FEES 35.50
RECORDED BY J Eckenroth

RETURN TO SANDY McCANN

Residential (Tract C): Shall be limited to individually-owned townhouses on fee-simple lots, together with recreational and open space amenities consistent with Seminole County usable common open space requirements. The Developer shall establish a mandatory homeowners association for the townhouse development in Tract C.

Neighborhood Commercial (Tract C):

Shall be limited to uses listed as permitted in the CN zoning classification per the Seminole County Land Development Code.

V. OPEN SPACE

Tract "F" Recreation/Retention/Open Space	19.81 acres
Use of area is limited to the residents of ETOR Properties and their guests.	
20% of Tract "E" (17.08 Acres)	3.42 acres
Use of area is limited to the residents of Tract "E".	
25% of the residential portion of Tract "C" (3.94 acres, to be evaluated at Final Engineering)	0.99 acre
TOTAL OPEN SPACE	24.22 acres

VI. BUILDING RESTRICTIONS

Residential (Tract "E"):	Building Height:	35 feet maximum
	Number of Stories:	one, two and three
	Limited to two story first tier adjacent to Tract "F".	

Residential (Tract "C"):	Building Height:	35 feet maximum
	Number of Stories:	2-story maximum
	Minimum Lot Size:	900 square feet
	Minimum Lot Width:	20 feet
	No accessory structures shall be permitted.	

Neighborhood Commercial (Tract "C"):	Building Height:	35 feet maximum
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BUILDING SETBACKS

Residential (Tract "E"): no change
Residential (Tract "C"): **Min. setback** from site boundary: 35 feet
Min. distance between buildings: 20 feet
Neighborhood Commercial (Tract "C"):
Front: 25 feet
Side: 0 feet
Rear: 10 feet

VII. VEHICULAR AND PEDESTRIAN TRAFFIC

- f. The Developer shall install an eastbound left turn lane on Sun Drive at the proposed west entrance to the office and neighborhood commercial site on the north portion of Tract C.
- g. The Developer shall install an eastbound left turn lane on Sun Drive at Greenwood Boulevard.

X. OTHER COMMITMENTS

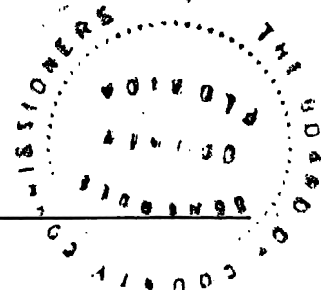
- F. ~~All access to the ETOR property will be from Lake Mary Boulevard or Greenwood Boulevard.~~
- F. Landscaping and irrigation facilities shall be installed in the Sun Drive median strip adjacent to Tract C prior to issuance of the first certificate of occupancy for the townhouses and/or neighborhood retail center in that tract.

Done and Ordered this 8th day of June, 2004.

By: _____

Daryl G. McLain
Chairman

Seminole County Board of County Commissioners



MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 07006 Pgs 1645 - 1658; (14pgs)
CLERK'S # 2008065604
RECORDED 06/05/2008 04:12:08 PM
RECORDING FEES 120.50
RECORDED BY G Harford

ETOR PROPERTIES
Planned Unit Development
Commitments, Classifications and District Description

ADDENDUM #3

On March 25, 2008, the Board of County Commissioners of Seminole County issued this Addendum to the "ETOR Planned Unit Development Commitments, Classifications and District Description" (the "PUD") amending such PUD. Any aspects of that PUD not specifically amended herein or by Addendum #1 or Addendum #2 shall remain in effect as set forth in that PUD.

II. STATEMENT OF BASIC FACTS

Commercial Area	34.74 acres
Office Area	2.53 acres
Residential Area	23.83 acres
Mixed Office and Commercial Area	2.59 acres
Retention, Recreation & Open Space	19.81 acres
Right-of-way	6.70 acres
Total Area	90.20 acres
Residential Density (Tract "C2" - North)	29.78 D.U.A. (Net)
Residential Density (Tract "C4" - South)	33.9 D.U.A. (Net)
Residential Density (Tract E)	17.6 D.U.A.

III. TRACT SUMMARY

TRACT DESIGNATION	LAND USE	AREA	% OF SITE
A	Commercial	2.08 acres	2.3%
B	Office, Commercial	2.59 acres	3.2%
C (North)	Office	1.32 acres	1.5%
C1 (North)	Neighborhood Commercial	2.75 acres	3.0%
C2 (North)	Residential - 70 units	2.81 acres	3.1%
C3 (South)	Office	1.21 acres	1.2%
C4 (South)	Residential - 108 units	3.94 acres	4.4%

D	Commercial	29.91 acres	33.2%
E	Residential - 300 units	17.08 acres	19%
F	Recreation, Open Space, Retention	19.81 acres	22%
R.O.W.	Public Streets	6.70 acres	7.2%
	Total	90.20 Acres	100%

*The Owner shall provide a six-foot high wall along the south property line which shall be constructed of split-face block. The Owner shall also provide a row of canopy trees along the south property line

IV. SPECIFIC USES

Residential (Tracts "C2" – North and "C4" – South):

Shall comply with the Seminole County R-4 zoning classification (permitted uses only).

V. OPEN SPACE

Tract "F" Recreation/Retention/Open Space 19.81 acres
Use of area is limited to the residents of ETOR Properties and their guests.

20% of Tract "E" (17.08 Acres) 3.42 acres
Use of area is limited to the residents of Tract "E."

25% of Tract "C2" – North (2.81 Acres, to be evaluated at Final Engineering) 0.70 acres

25% of Tract "C4" - South (3.94 acres, to be evaluated at Final Engineering) 0.98 acres

TOTAL OPEN SPACE 24.91 acres

VI. BUILDING RESTRICTIONS

Residential
(Tract "C2" – North)

Building Height:	55'6 maximum
Number of Stories:	5-story maximum
No accessory structures shall be permitted.	

Residential (Tract “C4” – South)	Building Height:	45 feet maximum
	Number of Stories:	4-story maximum
	Accessory Building Height:	35 feet maximum
	Accessory Number of Stories:	1 story maximum

BUILDING SETBACKS

Residential (Tract “C2” – North):	Front (7-Story Maximum)	25 feet
	Side (Adjacent to Retail or Office)	10 feet
	Rear (Adjacent to Retail or Office)	10 feet
Residential (Tract “C4” – South):	Front (1-Story Maximum)	25 feet
	Front (4-Story Maximum)	25 feet
	Side (Adjacent to Retail or Office)	15 feet
	Side (adjacent to Multi-Family Residential)	25 feet
	Rear	20 feet
	Minimum distance between buildings:	50 feet

VII. VEHICULAR AND PEDESTRIAN TRAFFIC

- h. The Developer shall install an eastbound left turn lane on South Sun Drive at the proposed west entrance to Tract “C2” – North, a Multi-Family Residential Tract.

X. OTHER COMMITMENT

- m. The development shall comply with the Final Master Plan attached hereto as Exhibit “B”, except that minor extensions, alterations or modifications of the Plan shall be permitted upon approval of the Planning Manager of Seminole County pursuant to the Land Development Code.

XIII. INTERPRETATION: RELATIONSHIP TO FINAL MASTER PLAN AND DEVELOPER'S COMMITMENT AGREEMENT

- a. This Developer's Commitment Agreement is intended to summarize material provisions of the Final Master Plan of the Property approved concurrently herewith by the Board of County Commissioners of Seminole County. In the event of an inconsistency between this Developer's Commitment Agreement and the Final Master Plan, the terms and conditions of the Developers Commitment Agreement shall control.

Done and Ordered this 17th day of May, 2008.

By: Brenda Carey
Brenda Carey, Chairman Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Regal Pointe park North Condominium Association, Inc., on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

Witness

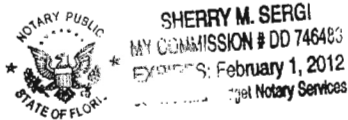
Ron Semans, President

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ron Semans who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of April, 2008.



Sherry M. Sergi

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: 2/1/12

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Rivera Townhome Owner's Association, Inc., on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

Ron Semans, President

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ron Semans who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of April, 2008.



SHERRY M. SERGI
MY COMMISSION # DU 746483
EXPIRES: February 1, 2012
Bonded Thru Budget Notary Services

Sherry M. Sergi

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: 2/1/12

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Suncor Properties, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Ron Semans
Witness
Cindy Hamelin
Witness

Robert Horian
Robert Horian, President

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Robert Horian who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 1 day of April, 2008.

[Signature]
Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

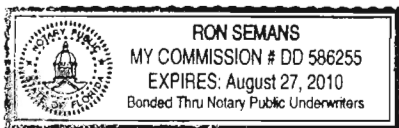


Exhibit "A"
Legal Description

EXISTING TRACT "A"

TRACT "A", TOGETHER WITH TOWNHOME LOTS 1 THRU 39, RIVIERA, A REPLAT OF LOT 4, GREENWOOD AT LAKE MARY PHASE 2, AS RECORDED IN PLAT BOOK 70, PAGES 87 – 90, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, CONTAINING 2.94 ACRES.

DESCRIPTION: LOT 1A

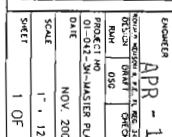
FROM THE MOST NORTHWESTERLY CORNER OF LOT 3, GREENWOOD AT LAKE MARY PHASE 2, AS RECORDED IN PLAT BOOK 54, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN ALONG THE BOUNDARY OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES: N89°48'27"E A DISTANCE OF 489.96 FEET; THENCE S53°57'05"E A DISTANCE OF 20.30 FEET; THENCE N89°48'27"E A DISTANCE OF 255.50 FEET; THENCE S53°57'05"E A DISTANCE OF 81.19 FEET; THENCE N89°48'27"E A DISTANCE OF 145.32 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LOT 3 RUN S00°11'33"E A DISTANCE OF 30.00 FEET; THENCE S04°50'50"W A DISTANCE OF 24.09 FEET; THENCE S00°11'33"E A DISTANCE OF 26.27 FEET; THENCE S89°48'27"W A DISTANCE OF 96.22 FEET; THENCE S40°47'39"W A DISTANCE OF 11.56 FEET; THENCE S89°48'27"W A DISTANCE OF 19.60 FEET; THENCE S02°40'25"W A DISTANCE OF 68.03 FEET; THENCE S25°24'33"W A DISTANCE OF 14.14 FEET; THENCE S89°48'27"W ON A NON-RADIAL BEARING A DISTANCE OF 32.05 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWEST AND HAVING A RADIUS OF 250.00 FEET; THENCE FROM A CHORD BEARING OF S03°39'51"W RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°32'03" A DISTANCE OF 24.15 FEET TO THE P.T. OF SAID CURVE; RUN THENCE S06°25'52"W A DISTANCE OF 65.48 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID LOT 3; SAID POINT OF INTERSECTION BEING ON THE ARC OF A CURVE CONCAVE NORTHEAST AND HAVING A RADIUS OF 372.50 FEET; THENCE FROM A CHORD BEARING OF S86°01'23"E RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 3; THROUGH A CENTRAL ANGLE OF 08°20'20" A DISTANCE OF 54.21 FEET TO THE P.T. OF SAID CURVE; RUN THENCE N89°48'27"E A DISTANCE OF 498.39 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID LOT 3 RUN N00°11'36"W A DISTANCE OF 38.00 FEET; THENCE N08°46'55"E A DISTANCE OF 37.06 FEET; THENCE N00°33'32"W A DISTANCE OF 70.39 FEET TO THE P.C. OF A CURVE CONCAVE SOUTHWEST AND HAVING A RADIUS OF 62.00 FEET; RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°16'46" A DISTANCE OF 85.79 FEET; THENCE FROM A CHORD BEARING OF S40°11'55"E RUN N10°09'42"E ON A RADIAL BEARING A DISTANCE OF 43.72 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID LOT 3; RUN THENCE

ALONG THE NORTHERLY LINE OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES; S89°48'30"W A DISTANCE OF 270.43 FEET; THENCE N56°21'48"W A DISTANCE OF 27.24 FEET; THENCE S89°48'27"W A DISTANCE OF 44.94 FEET TO THE POINT OF BEGINNING.
CONTAINING 2.75 ACRES

DESCRIPTION: LOT 1B

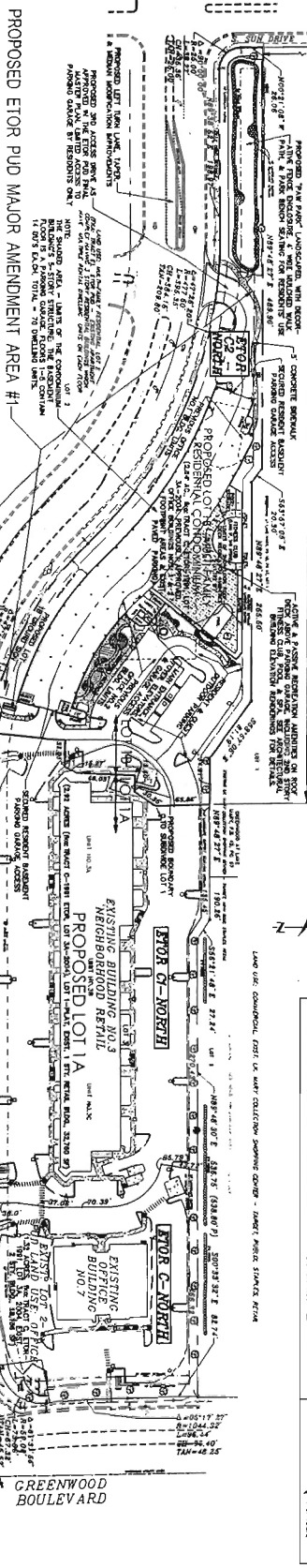
FROM THE MOST NORTHWESTERLY CORNER OF LOT 3, GREENWOOD AT LAKE MARY PHASE 2, AS RECORDED IN PLAT BOOK 54, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS A POINT OF BEGINNING, RUN ALONG THE BOUNDARY OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES: N89°48'27"E A DISTANCE OF 489.96 FEET; THENCE S53°57'05"E A DISTANCE OF 20.30 FEET; THENCE N89°48'27"E A DISTANCE OF 255.50 FEET; THENCE S53°57'05"E A DISTANCE OF 81.19 FEET; THENCE N89°48'27"E A DISTANCE OF 145.32 FEET; THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LOT 3 RUN S00°11'33"E A DISTANCE OF 30.00 FEET; THENCE S04°50'50"W A DISTANCE OF 24.09 FEET; THENCE S00°11'33"E A DISTANCE OF 26.27 FEET; THENCE S89°48'27"W A DISTANCE OF 96.22 FEET; THENCE S40°47'39"W A DISTANCE OF 11.56 FEET; THENCE S89°48'27"W A DISTANCE OF 19.60 FEET; THENCE S02°40'25"W A DISTANCE OF 68.03 FEET; THENCE S25°24'33"W A DISTANCE OF 14.14 FEET; THENCE S89°48'27"W ON A NON-RADIAL BEARING A DISTANCE OF 32.05 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWEST AND HAVING A RADIUS OF 250.00 FEET; THENCE FROM A CHORD BEARING OF S03°39'51"W RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°32'03" A DISTANCE OF 24.15 FEET TO THE P.T. OF SAID CURVE; RUN THENCE S06°25'52"W A DISTANCE OF 65.48 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID LOT 3; SAID POINT OF INTERSECTION BEING ON THE ARC OF A CURVE CONCAVE NORTHEAST AND HAVING A RADIUS OF 372.50 FEET; THENCE FROM A CHORD BEARING OF N62°23'00"W RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 3; THROUGH A CENTRAL ANGLE OF 38°56'25" A DISTANCE OF 253.16 FEET TO THE P.R.C. WITH A CURVE BEING CONCAVE SOUTHWEST AND HAVING A RADIUS OF 477.50 FEET RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°26'20" A DISTANCE OF 395.35 FEET TO THE P.T. OF SAID CURVE; RUN THENCE S89°38'52"W A DISTANCE OF 198.97 FEET TO THE P.C. OF A CURVE CONCAVE NORTHEAST AND HAVING A RADIUS OF 25.00 FEET; RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 39.27 FEET TO THE P.T. OF SAID CURVE; RUN THENCE N00°21'08"W A DISTANCE OF 26.06 FEET TO THE POINT OF BEGINNING.
CONTAINING 2.81 ACRES

Exhibit “B”
Revised Final Master Plan



PROPOSED LOT 1B

EXIST. ETOR PUD LAND USE: OFFICE & RETAIL
PROPOSED LOT 1B LAND USE: MULTI-FAMILY RESIDENTIAL



SYMBOL LEGEND

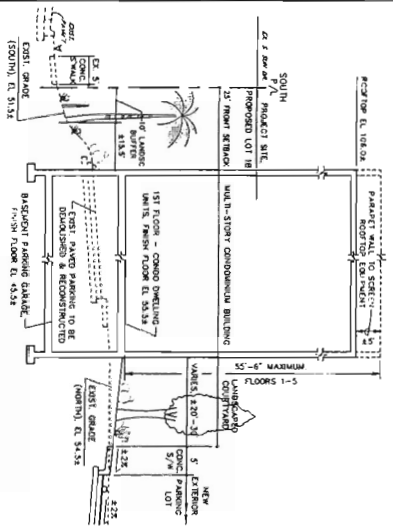
1. LOT 1B	2. LOT 1A	3. LOT 1C	4. LOT 1D	5. LOT 1E	6. LOT 1F	7. LOT 1G	8. LOT 1H	9. LOT 1I	10. LOT 1J	11. LOT 1K	12. LOT 1L	13. LOT 1M	14. LOT 1N	15. LOT 1O	16. LOT 1P	17. LOT 1Q	18. LOT 1R	19. LOT 1S	20. LOT 1T	21. LOT 1U	22. LOT 1V	23. LOT 1W	24. LOT 1X	25. LOT 1Y	26. LOT 1Z	27. LOT 1AA	28. LOT 1AB	29. LOT 1AC	30. LOT 1AD	31. LOT 1AE	32. LOT 1AF	33. LOT 1AG	34. LOT 1AH	35. LOT 1AI	36. LOT 1AJ	37. LOT 1AK	38. LOT 1AL	39. LOT 1AM	40. LOT 1AN	41. LOT 1AO	42. LOT 1AP	43. LOT 1AQ	44. LOT 1AR	45. LOT 1AS	46. LOT 1AT	47. LOT 1AU	48. LOT 1AV	49. LOT 1AW	50. LOT 1AX	51. LOT 1AY	52. LOT 1AZ	53. LOT 1BA	54. LOT 1BB	55. LOT 1BC	56. LOT 1BD	57. LOT 1BE	58. LOT 1BF	59. LOT 1BG	60. LOT 1BH	61. LOT 1BI	62. LOT 1BJ	63. LOT 1BK	64. LOT 1BL	65. LOT 1BM	66. LOT 1BN	67. LOT 1BO	68. LOT 1BP	69. LOT 1BQ	70. LOT 1BR	71. LOT 1BS	72. LOT 1BT	73. LOT 1BU	74. LOT 1BV	75. LOT 1BW	76. LOT 1BX	77. LOT 1BY	78. LOT 1BZ	79. LOT 1CA	80. LOT 1CB	81. LOT 1CC	82. LOT 1CD	83. LOT 1CE	84. LOT 1CF	85. LOT 1CG	86. LOT 1CH	87. LOT 1CI	88. LOT 1CJ	89. LOT 1CK	90. LOT 1CL	91. LOT 1CM	92. LOT 1CN	93. LOT 1CO	94. LOT 1CP	95. LOT 1CQ	96. LOT 1CR	97. LOT 1CS	98. LOT 1CT	99. LOT 1CU	100. LOT 1CV	101. LOT 1CW	102. LOT 1CX	103. LOT 1CY	104. LOT 1CZ	105. LOT 1DA	106. LOT 1DB	107. LOT 1DC	108. LOT 1DD	109. LOT 1DE	110. LOT 1DF	111. LOT 1DG	112. LOT 1DH	113. LOT 1DI	114. LOT 1DJ	115. LOT 1DK	116. LOT 1DL	117. LOT 1DM	118. LOT 1DN	119. LOT 1DO	120. LOT 1DP	121. LOT 1DQ	122. LOT 1DR	123. LOT 1DS	124. LOT 1DT	125. LOT 1DU	126. LOT 1DV	127. LOT 1DW	128. LOT 1DX	129. LOT 1DY	130. LOT 1DZ	131. LOT 1EA	132. LOT 1EB	133. LOT 1EC	134. LOT 1ED	135. LOT 1EE	136. LOT 1EF	137. LOT 1EG	138. LOT 1EH	139. LOT 1EI	140. LOT 1EJ	141. LOT 1EK	142. LOT 1EL	143. LOT 1EM	144. LOT 1EN	145. LOT 1EO	146. LOT 1EP	147. LOT 1EQ	148. LOT 1ER	149. LOT 1ES	150. LOT 1ET	151. LOT 1EU	152. LOT 1EV	153. LOT 1EW	154. LOT 1EX	155. LOT 1EY	156. LOT 1EZ	157. LOT 1FA	158. LOT 1FB	159. LOT 1FC	160. LOT 1FD	161. LOT 1FE	162. LOT 1FF	163. LOT 1FG	164. LOT 1FH	165. LOT 1FI	166. LOT 1FJ	167. LOT 1FK	168. LOT 1FL	169. LOT 1FM	170. LOT 1FN	171. LOT 1FO	172. LOT 1FP	173. LOT 1FQ	174. LOT 1FR	175. LOT 1FS	176. LOT 1FT	177. LOT 1FU	178. LOT 1FV	179. LOT 1FW	180. LOT 1FX	181. LOT 1FY	182. LOT 1FZ	183. LOT 1GA	184. LOT 1GB	185. LOT 1GC	186. LOT 1GD	187. LOT 1GE	188. LOT 1GF	189. LOT 1GG	190. LOT 1GH	191. LOT 1GI	192. LOT 1GJ	193. LOT 1GK	194. LOT 1GL	195. LOT 1GM	196. LOT 1GN	197. LOT 1GO	198. LOT 1GP	199. LOT 1GQ	200. LOT 1GR	201. LOT 1GS	202. LOT 1GT	203. LOT 1GU	204. LOT 1GV	205. LOT 1GW	206. LOT 1GX	207. LOT 1GY	208. LOT 1GZ	209. LOT 1HA	210. LOT 1HB	211. LOT 1HC	212. LOT 1HD	213. LOT 1HE	214. LOT 1HF	215. LOT 1HG	216. LOT 1HH	217. LOT 1HI	218. LOT 1HJ	219. LOT 1HK	220. LOT 1HL	221. LOT 1HM	222. LOT 1HN	223. LOT 1HO	224. LOT 1HP	225. LOT 1HQ	226. LOT 1HR	227. LOT 1HS	228. LOT 1HT	229. LOT 1HU	230. LOT 1HV	231. LOT 1HW	232. LOT 1HX	233. LOT 1HY	234. LOT 1HZ	235. LOT 1IA	236. LOT 1IB	237. LOT 1IC	238. LOT 1ID	239. LOT 1IE	240. LOT 1IF	241. LOT 1IG	242. LOT 1IH	243. LOT 1II	244. LOT 1IJ	245. LOT 1IK	246. LOT 1IL	247. LOT 1IM	248. LOT 1IN	249. LOT 1IO	250. LOT 1IP	251. LOT 1IQ	252. LOT 1IR	253. LOT 1IS	254. LOT 1IT	255. LOT 1IU	256. LOT 1IV	257. LOT 1IW	258. LOT 1IX	259. LOT 1IY	260. LOT 1IZ	261. LOT 1JA	262. LOT 1JB	263. LOT 1JC	264. LOT 1JD	265. LOT 1JE	266. LOT 1JF	267. LOT 1JG	268. LOT 1JH	269. LOT 1JI	270. LOT 1JJ	271. LOT 1JK	272. LOT 1JL	273. LOT 1JM	274. LOT 1JN	275. LOT 1JO	276. LOT 1JP	277. LOT 1JQ	278. LOT 1JR	279. LOT 1JS	280. LOT 1JT	281. LOT 1JU	282. LOT 1JV	283. LOT 1JW	284. LOT 1JX	285. LOT 1JY	286. LOT 1JZ	287. LOT 1KA	288. LOT 1KB	289. LOT 1KC	290. LOT 1KD	291. LOT 1KE	292. LOT 1KF	293. LOT 1KG	294. LOT 1KH	295. LOT 1KI	296. LOT 1KJ	297. LOT 1KK	298. LOT 1KL	299. LOT 1KM	300. LOT 1KN	301. LOT 1KO	302. LOT 1KP	303. LOT 1KQ	304. LOT 1KR	305. LOT 1KS	306. LOT 1KT	307. LOT 1KU	308. LOT 1KV	309. LOT 1KW	310. LOT 1KX	311. LOT 1KY	312. LOT 1KZ	313. LOT 1LA	314. LOT 1LB	315. LOT 1LC	316. LOT 1LD	317. LOT 1LE	318. LOT 1LF	319. LOT 1LG	320. LOT 1LH	321. LOT 1LI	322. LOT 1LJ	323. LOT 1LK	324. LOT 1LL	325. LOT 1LM	326. LOT 1LN	327. LOT 1LO	328. LOT 1LP	329. LOT 1LQ	330. LOT 1LR	331. LOT 1LS	332. LOT 1LT	333. LOT 1LU	334. LOT 1LV	335. LOT 1LW	336. LOT 1LX	337. LOT 1LY	338. LOT 1LZ	339. LOT 1MA	340. LOT 1MB	341. LOT 1MC	342. LOT 1MD	343. LOT 1ME	344. LOT 1MF	345. LOT 1MG	346. LOT 1MH	347. LOT 1MI	348. LOT 1MJ	349. LOT 1MK	350. LOT 1ML	351. LOT 1MM	352. LOT 1MN	353. LOT 1MO	354. LOT 1MP	355. LOT 1MQ	356. LOT 1MR	357. LOT 1MS	358. LOT 1MT	359. LOT 1MU	360. LOT 1MV	361. LOT 1MW	362. LOT 1MX	363. LOT 1MY	364. LOT 1MZ	365. LOT 1NA	366. LOT 1NB	367. LOT 1NC	368. LOT 1ND	369. LOT 1NE	370. LOT 1NF	371. LOT 1NG	372. LOT 1NH	373. LOT 1NI	374. LOT 1NJ	375. LOT 1NK	376. LOT 1NL	377. LOT 1NM	378. LOT 1NN	379. LOT 1NO	380. LOT 1NP	381. LOT 1NQ	382. LOT 1NR	383. LOT 1NS	384. LOT 1NT	385. LOT 1NU	386. LOT 1NV	387. LOT 1NW	388. LOT 1NX	389. LOT 1NY	390. LOT 1NZ	391. LOT 1OA	392. LOT 1OB	393. LOT 1OC	394. LOT 1OD	395. LOT 1OE	396. LOT 1OF	397. LOT 1OG	398. LOT 1OH	399. LOT 1OI	400. LOT 1OJ	401. LOT 1OK	402. LOT 1OL	403. LOT 1OM	404. LOT 1ON	405. LOT 1OO	406. LOT 1OP	407. LOT 1OQ	408. LOT 1OR	409. LOT 1OS	410. LOT 1OT	411. LOT 1OU	412. LOT 1OV	413. LOT 1OW	414. LOT 1OX	415. LOT 1OY	416. LOT 1OZ	417. LOT 1PA	418. LOT 1PB	419. LOT 1PC	420. LOT 1PD	421. LOT 1PE	422. LOT 1PF	423. LOT 1PG	424. LOT 1PH	425. LOT 1PI	426. LOT 1PJ	427. LOT 1PK	428. LOT 1PL	429. LOT 1PM	430. LOT 1PN	431. LOT 1PO	432. LOT 1PP	433. LOT 1PQ	434. LOT 1PR	435. LOT 1PS	436. LOT 1PT	437. LOT 1PU	438. LOT 1PV	439. LOT 1PW	440. LOT 1PX	441. LOT 1PY	442. LOT 1PZ	443. LOT 1QA	444. LOT 1QB	445. LOT 1QC	446. LOT 1QD	447. LOT 1QE	448. LOT 1QF	449. LOT 1QG	450. LOT 1QH	451. LOT 1QI	452. LOT 1QJ	453. LOT 1QK	454. LOT 1QL	455. LOT 1QM	456. LOT 1QN	457. LOT 1QO	458. LOT 1QP	459. LOT 1QQ	460. LOT 1QR	461. LOT 1QS	462. LOT 1QT	463. LOT 1QU	464. LOT 1QV	465. LOT 1QW	466. LOT 1QX	467. LOT 1QY	468. LOT 1QZ	469. LOT 1RA	470. LOT 1RB	471. LOT 1RC	472. LOT 1RD	473. LOT 1RE	474. LOT 1RF	475. LOT 1RG	476. LOT 1RH	477. LOT 1RI	478. LOT 1RJ	479. LOT 1RK	480. LOT 1RL	481. LOT 1RM	482. LOT 1RN	483. LOT 1RO	484. LOT 1RP	485. LOT 1RQ	486. LOT 1RR	487. LOT 1RS	488. LOT 1RT	489. LOT 1RU	490. LOT 1RV	491. LOT 1RW	492. LOT 1RX	493. LOT 1RY	494. LOT 1RZ	495. LOT 1SA	496. LOT 1SB	497. LOT 1SC	498. LOT 1SD	499. LOT 1SE	500. LOT 1SF	501. LOT 1SG	502. LOT 1SH	503. LOT 1SI	504. LOT 1SJ	505. LOT 1SK	506. LOT 1SL	507. LOT 1SM	508. LOT 1SN	509. LOT 1SO	510. LOT 1SP	511. LOT 1SQ	512. LOT 1SR	513. LOT 1SS	514. LOT 1ST	515. LOT 1SU	516. LOT 1SV	517. LOT 1SW	518. LOT 1SX	519. LOT 1SY	520. LOT 1SZ	521. LOT 1TA	522. LOT 1TB	523. LOT 1TC	524. LOT 1TD	525. LOT 1TE	526. LOT 1TF	527. LOT 1TG	528. LOT 1TH	529. LOT 1TI	530. LOT 1TJ	531. LOT 1TK	532. LOT 1TL	533. LOT 1TM	534. LOT 1TN	535. LOT 1TO	536. LOT 1TP	537. LOT 1TQ	538. LOT 1TR	539. LOT 1TS	540. LOT 1TT	541. LOT 1TU	542. LOT 1TV	543. LOT 1TW	544. LOT 1TX	545. LOT 1TY	546. LOT 1TZ	547. LOT 1UA	548. LOT 1UB	549. LOT 1UC	550. LOT 1UD	551. LOT 1UE	552. LOT 1UF	553. LOT 1UG	554. LOT 1UH	555. LOT 1UI	556. LOT 1UJ	557. LOT 1UK	558. LOT 1UL	559. LOT 1UM	560. LOT 1UN	561. LOT 1UO	562. LOT 1UP	563. LOT 1UQ	564. LOT 1UR	565. LOT 1US	566. LOT 1UT	567. LOT 1UU	568. LOT 1UV	569. LOT 1UW	570. LOT 1UX	571. LOT 1UY	572. LOT 1UZ	573. LOT 1VA	574. LOT 1VB	575. LOT 1VC	576. LOT 1VD	577. LOT 1VE	578. LOT 1VF	579. LOT 1VG	580. LOT 1VH	581. LOT 1VI	582. LOT 1VJ	583. LOT 1VK	584. LOT 1VL	585. LOT 1VM	586. LOT 1VN	587. LOT 1VO	588. LOT 1VP	589. LOT 1VQ	590. LOT 1VR	591. LOT 1VS	592. LOT 1VT	593. LOT 1VU	594. LOT 1VV	595. LOT 1VW	596. LOT 1VX	597. LOT 1VY	598. LOT 1VZ	599. LOT 1WA	600. LOT 1WB	601. LOT 1WC	602. LOT 1WD	603. LOT 1WE	604. LOT 1WF	605. LOT 1WG	606. LOT 1WH	607. LOT 1WI	608. LOT 1WJ	609. LOT 1WK	610. LOT 1WL	611. LOT 1WM	612. LOT 1WN	613. LOT 1WO	614. LOT 1WP	615. LOT 1WQ	616. LOT 1WR	617. LOT 1WS	618. LOT 1WT	619. LOT 1WU	620. LOT 1WV	621. LOT 1WW	622. LOT 1WX	623. LOT 1WY	624. LOT 1WZ	625. LOT 1XA	626. LOT 1XB	627. LOT 1XC	628. LOT 1XD	629. LOT 1XE	630. LOT 1XF	631. LOT 1XG	632. LOT 1XH	633. LOT 1XI	634. LOT 1XJ	635. LOT 1XK	636. LOT 1XL	637. LOT 1XM	638. LOT 1XN	639. LOT 1XO	640. LOT 1XP	641. LOT 1XQ	642. LOT 1XR	643. LOT 1XS	644. LOT 1XT	645. LOT 1XU	646. LOT 1XV	647. LOT 1XW	648. LOT 1XX	649. LOT 1XY	650. LOT 1XZ	651. LOT 1YA	652. LOT 1YB	653. LOT 1YC	654. LOT 1YD	655. LOT 1YE	656. LOT 1YF	657. LOT 1YG	658. LOT 1YH	659. LOT 1YI	660. LOT 1YJ	661. LOT 1YK	662. LOT 1YL	663. LOT 1YM	664. LOT 1YN	665. LOT 1YO	666. LOT 1YP	667. LOT 1YQ	668. LOT 1YR	669. LOT 1YS	670. LOT 1YT	671. LOT 1YU	672. LOT 1YV	673. LOT 1YW	674. LOT 1YX	675. LOT 1YY	676. LOT 1YZ	677. LOT 1ZA	678. LOT 1ZB	679. LOT 1ZC	680. LOT 1ZD	681. LOT 1ZE	682. LOT 1ZF	683. LOT 1ZG	684. LOT 1ZH	685. LOT 1ZI	686. LOT 1ZJ	687. LOT 1ZK	688. LOT 1ZL	689. LOT 1ZM	690. LOT 1ZN	691. LOT 1ZO	692. LOT 1ZP	693. LOT 1ZQ	694. LOT 1ZR	695. LOT 1ZS	696. LOT 1ZT	697. LOT 1ZU	698. LOT 1ZV	699. LOT 1ZW	700. LOT 1ZX	701. LOT 1ZY	702. LOT 1ZZ
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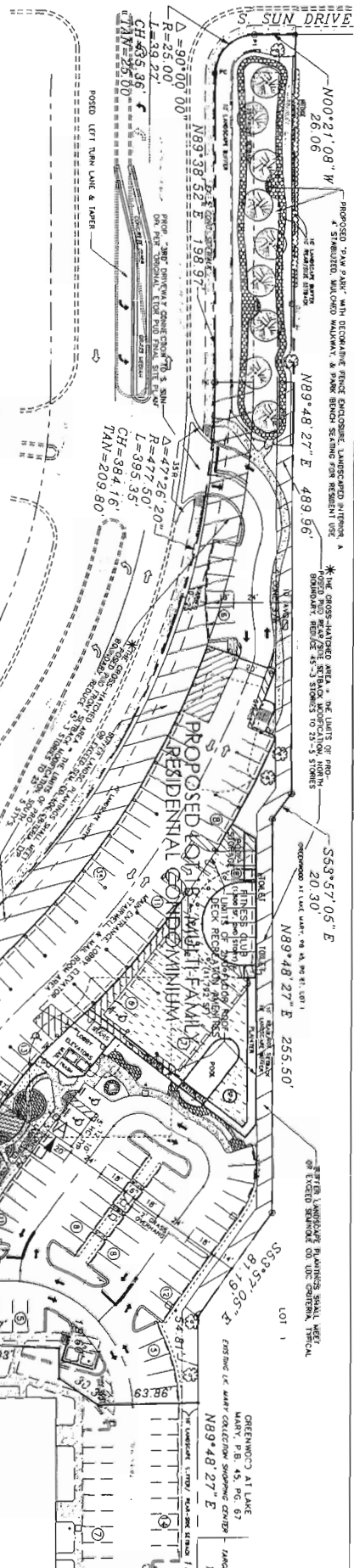
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SECTION (1) FLOOR, WITH A MAXIMUM HEIGHT OF 80'



SITE DATA

LAND USE: MULTI-FAMILY RESIDENTIAL LOT 2
(FKA TRACT E) EXISTING APARTMENT
COMPLEX HAVING 3 STORY RESIDENTIAL BUILDINGS WHICH
HAVE MULTIPLE RENTAL DWELING UNITS ON EACH FLOOR



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REGAL POINTE PARK

PROPOSED LOT 1B,
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SEMINOLE COUNTY, FLORIDA

PREPARED FOR:
SUNCOR PROPERTIES, INC.
550 N. PALMETTO AVENUE
SANFORD, FL 32771
PHONE: (407) 688-7644
FAX: (407) 688-7920

Design Service Group, Inc.

136 Planning • Consulting Engineering • Environmental Permitting
Holds Board of Professional Engineers Certificate of Authorization Number: 4720

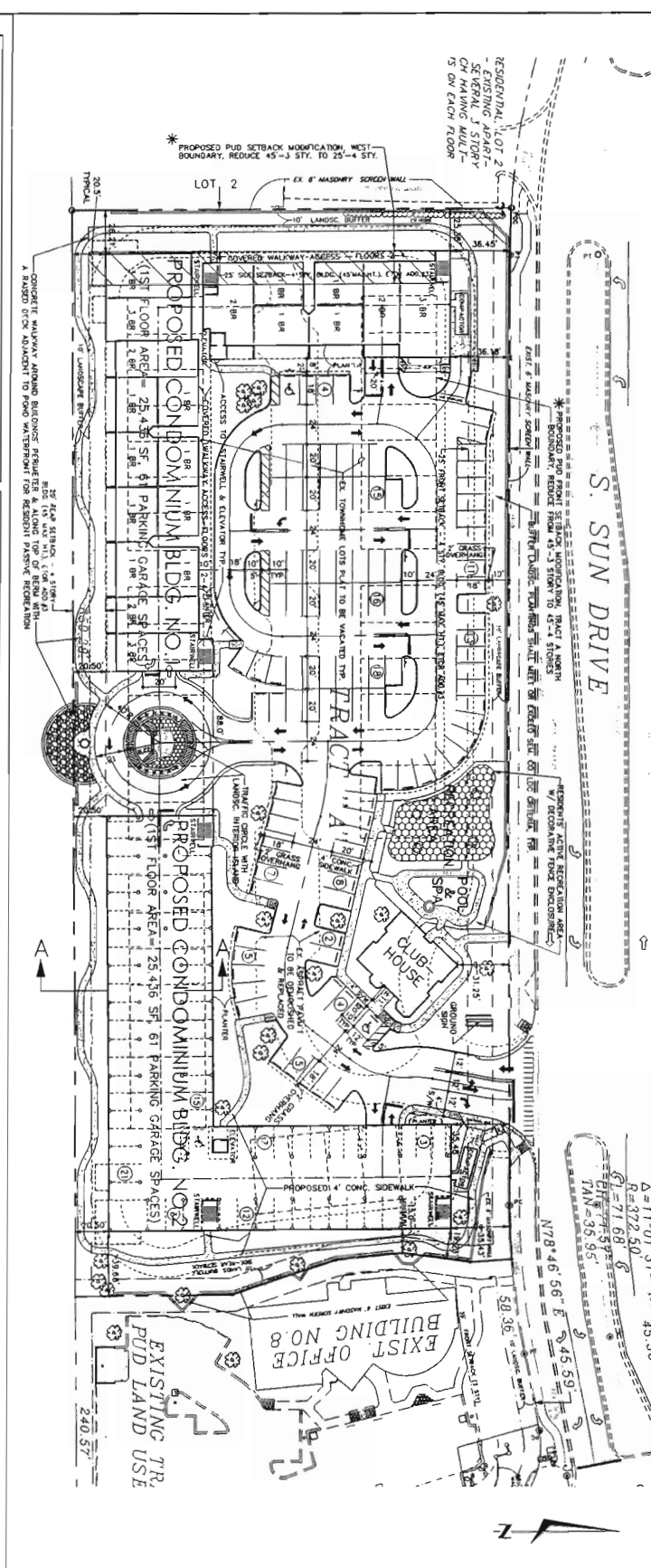
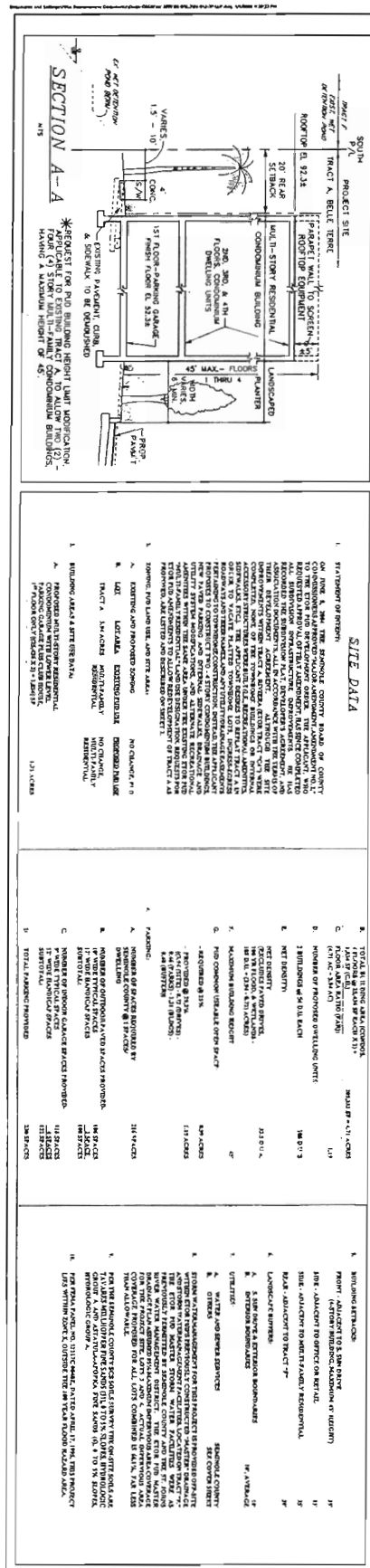
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SANFORD, FLORIDA 32771

Phone: 407.324.1710 Fax: 407.324.1409 Email: design@designservicegroup.com

DATE: SEPT. 1, 2007

SCALE: 1" = 30'

SHEET: 3 OF 5



SURVEY LEGEND

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SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 24, 2009, Seminole County issued this Denial Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

Property Owner(s): Regal Pointe Park North Condominium Association

Project Name: ETOR PUD Major Amendment # 4

Requested Development Approval: A Major Amendment to the ETOR PUD.

The Board of County Commissioners has determined that the PUD Major Amendment request is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "ETOR PUD Major Amendment" and all evidence submitted at the public hearing on January 27, 2009, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested PUD Major Amendment to the ETOR PUD should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD OF COUNTY
COMMISSIONERS**

By: _____
Bob Dallari, Chairman

EXHIBIT "A"DESCRIPTION: LOT 1A

FROM THE MOST NORTHWESTERLY CORNER OF LOT 3, GREENWOOD AT LAKE MARY PHASE 2, AS RECORDED IN PLAT BOOK 54, PAGES 48 THROUGH 51, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN ALONG THE BOUNDARY OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES: N89°48'27"E A DISTANCE OF 489.96 FEET; THENCE S53°57'05"E A DISTANCE OF 20.30 FEET; THENCE N89°48'27"E A DISTANCE OF 255.50 FEET; THENCE S53°57'05"E A DISTANCE OF 81.19 FEET; THENCE N89°48'27"E A DISTANCE OF 145.32 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING THE NORTHERLY BOUNDARY OF SAID LOT 3 RUN S00°11'33"E A DISTANCE OF 30.00 FEET; THENCE S04°50'50"W A DISTANCE OF 24.09 FEET; THENCE S00°11'33"E A DISTANCE OF 26.27 FEET; THENCE S89°48'27"W A DISTANCE OF 96.22 FEET; THENCE S40°47'39"W A DISTANCE OF 11.56 FEET; THENCE S89°48'27"W A DISTANCE OF 19.60 FEET; THENCE S02°40'25"W A DISTANCE OF 68.03 FEET; THENCE S25°24'33"W A DISTANCE OF 14.14 FEET; THENCE S89°48'27"W ON A NON-RADIAL BEARING A DISTANCE OF 32.05 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWEST AND HAVING A RADIUS OF 250.00 FEET; THENCE FROM A CHORD BEARING OF S03°39'51"W RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°32'03" A DISTANCE OF 24.15 FEET TO THE P.T. OF SAID CURVE; RUN THENCE S06°25'52"W A DISTANCE OF 65.48 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF SAID LOT 3; SAID POINT OF INTERSECTION BEING ON THE ARC OF A CURVE CONCAVE NORTHEAST AND HAVING A RADIUS OF 372.50 FEET; THENCE FROM A CHORD BEARING OF S86°01'23"E RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 3; THROUGH A CENTRAL ANGLE OF 08°20'20" A DISTANCE OF 54.21 FEET TO THE P.T. OF SAID CURVE; RUN THENCE N89°48'27"E A DISTANCE OF 498.39 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID LOT 3 RUN N00°11'36"W A DISTANCE OF 38.00 FEET; THENCE N08°46'55"E A DISTANCE OF 37.06 FEET; THENCE N00°33'32"W A DISTANCE OF 70.39 FEET TO THE P.C. OF A CURVE CONCAVE SOUTHWEST AND HAVING A RADIUS OF 62.00 FEET; RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°16'46" A DISTANCE OF 85.79 FEET; THENCE FROM A CHORD BEARING OF S40°11'55"E RUN N10°09'42"E ON A RADIAL BEARING A DISTANCE OF 43.72 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID LOT 3; RUN THENCE ALONG THE NORTHERLY LINE OF SAID LOT 3 THE FOLLOWING COURSES AND DISTANCES; S89°48'30"W A DISTANCE OF 270.43 FEET; THENCE N56°21'48"W A DISTANCE OF 27.24 FEET; THENCE S89°48'27"W A DISTANCE OF 44.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.75 ACRES
AND

BLDG 7 REGAL POINT PARK NORTH A CONDOMINIUM PB 70 PGS 21- 23

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07- _____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: JAMES OWEN & JILLISA Name: _____
Address: 1770 ALAGUA LKS. CONOWOOD Address: _____
Phone #: 907-833-1930 Phone #: _____

Name: _____ Name: _____
Address: _____ Address: _____
Phone #: _____ Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: <u>ENTRUST ADMIN SERVICES INC.</u> Officers: <u>OWEN E. JAMES</u> Address: <u>1064 GREENWOOD LK MARY</u> Directors: <u>SAME</u> Address: _____ Shareholders: <u>SAME</u> Address: _____	Name of Corporation: <u>SUNCON PROPERTIES INC.</u> Officers: <u>ROBERT BOURIAN</u> Address: <u>541 W. PALMETTO SANFORD</u> Directors: <u>SAME</u> Address: _____ Shareholders: <u>SAME</u> Address: _____
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(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____
Trustees: _____ Beneficiaries: _____
Address: _____ Address: _____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07- _____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: <u>Jm Dev. LLC</u>	Name of Corporation: <u>DEL BUEA VISTA PH VI LLC</u>
Officers: <u>MATT ARENA</u>	Officers: <u>ROBERT AGUIRRE</u>
Address: <u>2050 Jessup Rd. Oviedo</u>	Address: <u>1061 Sun Dr. Lk. Mary</u>
Directors: <u>SAME</u>	Directors: <u>SAME</u>
Address: _____	Address: _____
Shareholders: <u>SAME</u>	Shareholders: <u>SAME</u>
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	_____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-_____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: <u>FUSION FITNESS LLC</u>	Name of Corporation: <u>B4B PROPERTIES LLC</u>
Officers: <u>ARIEL HERNANDEZ</u>	Officers: <u>NORMAN BOWER</u>
Address: <u>950 MARKET PROMENADE LKMM</u>	Address: <u>6235 BORDERLINE Circle Sanford</u>
Directors: <u>SAME</u>	Directors: <u>SAME</u>
Address: _____	Address: _____
Shareholders: <u>SAME</u>	Shareholders: <u>SAME</u>
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	
Trustees: _____	Beneficiaries: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-_____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: _____

Address: _____

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Name: _____

Address: _____

Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: POLE PERFECT STUDIOS LLC

Officers: JAMES SKALKO

Address: 3457 ROCKCLIFF LANE

Directors: SAME

Address: _____

Shareholders: SAME

Address: _____

Name of Corporation: DTBR W/OPM LLC

Officers: CHRISTOPHER MENDOZA

Address: 1595 ROCK SPRINGS RD.

Directors: SAME

Address: _____

Shareholders: SAME

Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____

Trustees: _____

Address: _____

Beneficiaries: _____

Address: _____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____	Name of Partnership: _____
Principal: _____	Principal: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee:	Contract Vendee:
Name: _____	Name: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

11/15/09
Date

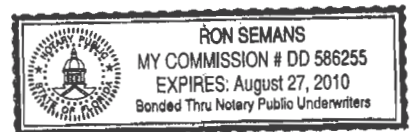
[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF SEMINOLE

Sworn to (or affirmed) and subscribed before me this 15 day of DEC, 2008 by ROBERT
HORIAN

[Signature] _____
Signature of Notary Public Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification
Type of Identification Produced _____



For Use by Planning & Development Staff

Date: _____ Application Number: _____

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
FEBRUARY 4, 2009**

Members present: Matthew Brown, Walt Eismann, Rob Wolf, Dudley Bates, Ben Tucker and Kimberly Day.

Members absent: Melanie Chase.

Also present: Alison Stettner, Planning Manager; Tina Williamson, Assistant Planning Manager; Austin Watkins, Senior Planner; Ian Sikonia, Senior Planner; Joy Williams, Planner; Jim Potter, Senior Engineer, Development Review Division; Cynthia Sweet, Senior Planner; Kathleen Furey-Tran, Assistant County Attorney; and Connie R. DeVasto, Clerk to the Commission.

D. ETOR PUD Major Amendment; Robert L. Horian, applicant; 2.75 ± acres; Major Amendment to the ETOR PUD (Planned Unit Development); located the northwest of the intersection of S. Sun Drive and Greenwood Lakes Boulevard. (Z2008-57)

District 4 - Henley
Austin Watkins, Senior Planner

Austin Watkins, Planning Division – presented this item and stated that the ETOR PUD was originally approved in 1994 as a multi-use Office, Retail and Multi-Family development. In 1994 Tract “C” was approved for 12.41 acres of office. The Applicant is requesting to amend the approved uses of Tract “C” from Office to Office/Retail and increase the allowable retail uses within the neighborhood commercial Tract C-1.

The ETOR PUD was recently amended in March of 2008 to allow for a 70-unit 5-story condominium building on Tract C2, which is located on the north side of Sun Drive, adjacent to the subject property. The 2008 amendment also allowed for a 108-unit 4-story condominium complex on the south side of Sun Drive.

Tract “C” is approved for 1.22 acres of Office uses. There is currently an existing 2-story office building on Tract “C”. The Applicant is proposing to modify the permitted uses of Tract “C” from OP uses to OP uses, plus the first floor (ground level) of Tract “C” may be used for C-1 uses per the Seminole County Land Development Code with the following exclusions:

- Funeral Homes
- Hardware Stores
- Laundrettes and Laundromats
- Pet Stores
- Plant Nurseries

- Theaters
- Multi-Family Housing
- Communication Towers
- Outside Storage of Material

The Applicant is also requesting to modify the permitted uses of Tract C-1 from Neighborhood commercial to C-1 zoning classification uses per the Seminole County Land Development code with the following exclusions:

- Funeral Homes
- Hardware Stores
- Laundrettes and Laundromats
- Pet Stores
- Plant Nurseries
- Theaters
- Multi-Family Housing
- Communication Towers
- Outside Storage of Material

Staff recommends approval of this request.

Commissioner Tucker – asked if this was directly behind the Target.

Mr. Watkins – yes

Commissioner Tucker – asked if it was the Target or the residential directly across the street and if it was the same one that the Commission looked at for the multi-family high rise.

Mr. Watkins – pointed out the multi-family tract which was previously approved and the location of the current request.

Commissioner Tucker – about a year or so ago, wasn't there a request for 7 or 8 stories?

Mr. Watkins – yes, it was approved by the Board of County Commissioners with modifications.

Commissioner Tucker – asked why there are exclusions for hardware stores and laundromats since there is already a Target.

Mr. Watkins – Staff asks the Applicant to bring a list of uses that they feel are appropriate for the area and their list included laundromats.

Commissioner Tucker – asked if the Applicant brought all the exclusions to Staff.

Mr. Watkins – yes they did.

Commissioner Brown – asked why Laundromats are excluded when it would be located in a residential area and that would seem to be their customer base.

Mr. Watkins – laundromats tend to deteriorate in the quality of development and typically these types of developments would have laundry facilities as an accessory use, in house or on property.

Commissioner Wolf – what was Staff's thought regarding excluding hardware stores?

Mr. Watkins – hardware stores typically have outside storage of materials.

Ronald Henson for the Applicant – stated the list of exclusions was voluntary on their part and the whole purpose of this is to expand their uses in this area. No one spoke in favor or opposition of this item from the audience.

Commissioner Wolf made a motion to recommend approval of this request.

Commissioner Brown seconded the motion.

The motion passed unanimously 6 – 0.